

Some Remarkable  
**OBSERVATIONS**  
ON THE  
**PROCEEDINGS**  
AGAINST

**Sir Thomas Armstrong,**

In His Majesties Court of *Kings-Bench*, at *Westminster*,  
Upon an Outlawry for High-Treason, &c.

AS ALSO

On what passed at his Execution at *Tyburn*, and the PAPER then  
delivered to the Sheriffs of *London*, and since Published.

**I**T is not with intention to overcharge the too Exuberant Press, or increase the number of Prints, that these ensuing Remarks are now Published; But considering the Age we now live in, and the Persons amongst whom, who are too ready to take any advantage to Palliate the *Treasons* and *Conspiracies* they have been found Notoriously Guilty of, and rather to Arraign the Laws that adjudged them, than Confess the Guilt they are adjudged of. That I have undertaken a little to look back on the Proceedings against, an the last Words of *Sir Thomas Armstrong*.

If ever any People had cause to say they lived under a Good and Gracious Governour, and an Equal and Impartial Government, it is certainly our selves; for as on the one Hand we ought to bless God for the Life and welfare of our present Monarch, so on the other for the Equal and Impartial Justice we enjoy under him. It is not with us, as in Times un-forgotten; that our Lives, Liberties and Estates, were at the Disposal of an Unjust and Tyrannical Usurpation: we have no *High Courts of Injustice*, no unordinary Proceedings that must be Warranted by subsequent Acts or Votes in *Parliament*, to avouch their Legality: but every Man may set under his own *Vine*, and sing a *Requiem* to himself in Peace and Plenty, well knowing that the increase of his Labour and Industry is his own Propriety, unless he justly makes a Forfeiture thereof by his Traterous and Criminal Actions.

Yet such are the Positions of too many amongst us, that we are apt to Quarrel with the Benefits we Enjoy, and Calumniate those Laws that Protect us, and those very Ministers by whose Just and Wise Disposal that Protection is derived to us.

But I look not on it as any great Wonder to hear the Thief complain of the Halter, and Traytor at the Severity of the Sentence; self love induces him to Plead some what for his Justification; tho of all Men our present Sufferer had (on due consideration) least to say for himself which we now come to Examine.

A Horrid Conspiracy against the Life and Person of his Sacred Majesty, his Royal Brother, and the Government, was on foot, several of the Conspirators received Sentence, and were justly Executed for the same: others Fled; amongst which number, *Sir Thomas Armstrong*, was not the least nor last that avoyded Justice: for which he stood duly Outlawed, and five hundred Pounds by Proclamation set upon his Head, as a Reward to him who should Apprehend him.

Upon which about a year after he was taken beyond the Seas, brought over, and Committed to the Goal of *Newgate*, and by *Habeas Corpus*, on *Saturday* the 14<sup>th</sup> of this last *June*, brought up to the *Kings-Bench-Bar*, at *Westminster*, where he was Arraigned upon the said Outlawry, and demanded what he could say for himself, why Execution should not be Awarded against him upon that Attainder according to Law.

His pretence was that he was beyond Sea at the time of the Outlawry and begged to be Tryed, urging as a point of Law, the Statute of *Edward the Sixth*, which provides, That if a party Outlawed should within one year next ensuing the said Outlawry pronounced or Judgment given upon the said Outlawry, Yield himself to the Lord Chief Justice of England, for the time being, and offer to Traverse the Inditement, or Appeal, whereupon the said Outlawry should be pronounced as aforesaid, That then he should be received to the said Traverse and being thereupon found not Guilty by the Verdict, of Twelve men he should be acquitted of the said Outlawry, &c.

But pray let us consider this Plea, and let any Impartial Eye take a view thereof, If such party so Outlawed yield himself, Is it for a man to yeild himself to the Law, to run away shelter and abscond out of the sight and reach of it, to defie all Proclamations, and stand out from the legal and repeated Summons thereof, and when at last by the care and caution of the Government he is forcibly taken and against his will brought in a Prisoner, to offer then to submit himself, and to take hold of what was never intended for him. If this be a yielding according to the Statute, then *Sir Thomas Armstrong* might tolerably enough pretend the same. But the Law is not to be Baffled. Had he indeed thro Remorse of Conscience, came and flung himself at the Feet of his Offended Majesty, and humbly have submitted his Head a Forfeit to Justice, or through sense of his Innocency, appealed to the Law and Justice of the Government; it might have born some weight, and without all doubt he would have had the favour of his Prince, and provision of the Law, which in this Case he was justly and regularly Abridg'd of. Nor could he as in a further part of the said Proceedings, is by him urged, claim any Right by what had been offer'd to another Criminal in his Case. A little while ago, says he there was one in this Place had the benefit of a Tryal offered him if he would accept it; that is the thing I now Desire, and I thank God my Case is quite another thing, this I know my

own Innocency, and I desire to make it appear by a Tryal. This he meant by Mr. Hilloway, but what was offered to him, was the Product of his Majesties Impartial'd Bounty, and could never be demanded as a Debt, which was free Grace and Favour. But their Cases says Sir Thomas Armstrong, were different: true, the one had Confessed his Crimes, and in some measure begged his Majesties Mercy, but the other in a Contumelious Stubbornness, tho the same had been ten times more palpably proved against him, stood out and disowned it, in contradiction of the said Proofs, and even of the Circumstances he then stood under: for had he been Innocent, why at that time of the Day did he demand a Tryal? he might have had it before his Conscience had enticed him from his Wronged Country; or if the sense of Innocency had been so prevalent upon him, why did it not bring him in to take hold of that benefit the Law provided for him?

But alas! these pretences have other meanings, than at first sight they import; they are *ad Captandum Populum*, to make the Pur-blind Multitude, who can see no further than what is before them, apprehend Hardship and Illegality in the proceedings against the Criminal, and consequently stir them up, at least, to a mutinous and Seditious Pity, if not a Rebellious Revenge. But thus far as to the Proceedings, let us now look into the Words he said at the place of Execution, *viz.*

Sir Thomas Armstrong, Mr. Sheriff, do you purpose to ask me any Questions?

Sh. Daniel. No Sir; you have leave to say what you please, and shall not be interrupted unless you upbraid the Government.

Sir T. Armstrong, Sir I thank you: But I shall not say any thing by way of Speech to the People. Pray take this Paper, which contains my Mind; and I desire no other person may ask me any Question.

It is here Observable how cautious the sufferer was least any Question should be asked him that might have discovered his Guilt, he was, you see, of the same humour Dying as living, not only to avoid a free and open Confession of his Crimes, as he ought to have made in respect of Gods Command and the benefit of his own Immortal Soul, but also the very appearance of any method that might have tended thereunto; But let us look into the Contents of his mind, which he declared to be in the said Paper: And this as he left the same behind him for the perusal of Posterity ought to bear some regard, But miserable is it to see how many false colours the same is varnished with, as if there were no more to be looked after in the last Speech of a Dying man than to deceive the World and wrap up the Crimes they dye Guilty of in Subdolous and double meanings.

I thank Almighty God tho I have but a short time allowed me I find my self prepared for Death, and my thoughts set on another World. This short time was much more than the Horrid Conspirators would have allowed his Sacred Majesty and than the Law afforded him, Yet I cannot but give so much of my little time to set down in Writing my Answers to some Calumnies raised since my close Imprisonment, as well as what Mr. Attorney accused me of at the Bar, I was told a very great Person says I was a Spy of Oliver's I shall not enter into the contest of this report, as to it's validity or truth, nor into the further Justification of himself upon that Head, which he pursues in the next Lines only say if there be truth in what he pleads for his Justification it is little to his present purpose and no answer to his present concerns in the Execrable designs he stood charged with; for if he was then a sufferer, as he reaped the Glory thereof in his own satisfaction, so was it a future encouragement to engage him in Loyalty to that Sacred Person who hath since honoured him with so many Acts of Grace, Favour and Honour but to proceed.

In the next Paragraph he goes on to give an Account of the Proceedings against him at the Kings Bench Barr,

and that he had urged the Statute of Edward the Sixth to benefit himself with a Tryal, which he concludes to say was denied him, and that he was with an **unordnary Roughness** condemned and made a President, tho Mr. Holloway, a little before had offered him and could not but think *All the World would conclude his Case very different, else why refused him?* This hath been sufficiently exploded in the preceeding Page, tho I cannot but observe how he calls the Justice of the Land an **unordnary Roughness**, but further.

Mr. Attorney said I was accused for being one of those that was to kill the King as he came from Newmarket, after the Fire, I take God to Witness I never had any such design nor ever had such a thought to take away the Kings Life neither had any man the Impudence to propose so Barbarous and base a thing to me, neither was I ever in any design to alter the Government of England.

It is observable that in the late Horrid Conspiracy there were several parts so Col. Walcot was to Charge the Guards, But declared no design to kill the King; In like manner Sir Thomas Armstrong, (which he doth not deny) might have Charged the Guards and Destroyed the Person of his Royal Highness both which he was Indicted for, and yet no design in his way against the King, nor further saith he had I any design against the Government, that is, the Monarchical Government, for the Crown might have been Translated from the Sacred Head that wore it and yet Monarchy have been still preserved. Nor does he mention in his whole Paper any one word of the Plot it felt for which he stood accused, but evades the General in striving to Answer this one particular which how he hath done I leave to the unprejudiced.

But he proceeds, I have Lived and now Dye of the Reformed Religion, a True and sincere Protestant, and in the Communion of the Church of England the name of True Protestants hath been sufficiently and dangerously known amongst us, under which satisfaction, he seems confident of the Pardon of God Almighty, and so draws to a Conclusion, I thank God I have no Repining at my Heart, for the Condition my Sins hath most deservedly brought upon me, I have deserved much worse at the Hands of God. He would have obliged the World and himself, in the Face of Heaven to have enumerated what those Crimes were, and doubtless we should have had a further Account of his Treasons. But says he I do freely forgive all the World, even those Concerned in taking away my Life. As for the sentence of Death past upon me, I cannot but think a very hard one; being I think denied the Laws of the Land. Here's Blessing and Cursing all in a Breathing; Forgiveness of the World and an unjust accusation of the Laws and Ministers of Justice in one and the same Sentence. To Conclude, says he, as I never had any Design against the Kings Life, or the Life of any man; so I never was in a Design to alter the Monarchy. The Truth of the first Clause depends upon the latter, As I never had a Design to alter the Monarchy, so I had none against the Kings Life. This is Cautelously Pen'd, he had not as before mentioned a design to alter the Monarchy, because he only intended to Transplant the Crown from one to a nother Head, and not to Destroy the Monarchy, tho he changed the Monarch So that if the latter be granted you must observe the Vainish of the former Clause.

But in the next Paragraph he tells you I Dye in Charity with all the World, and not without just reason; and therefore I heartily Pray God to Bless the Church of Christ every where, to what and how many Churches this extends, is very uncertain, I scarce believe he excludes the Presbyterian, Independent, with the *et cetera's* of Schismatical, and Phanatical Congregations, which is confirmed by his next Words, these poor Nations, True Protestant Cant, and in the last place the Kings Majesty, whom God long preserve,